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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF ARIZONA**  
9 **TUCSON DIVISION**

10 Center for Biological Diversity, )  
11 Plaintiff, ) Case No: 4:18-cv-00050-TUC-JAS  
12 v. ) [PROPOSED] ORDER  
13 E. Scott Pruitt, in his official capacity as )  
14 Administrator of the U.S. Environmental )  
15 Protection Agency, *et al.*, )  
Defendants. )  
\_\_\_\_\_  
)

16 The Court has reviewed Federal Defendants' Motion to Dismiss pursuant to  
17 Federal Rule of Civil Procedure 12(b)(1). After consideration of the motion and the  
18 papers submitted in support of and in opposition to the motion, and finding that good  
19 cause exists for the motion to be denied, IT IS HEREBY ORDERED that Federal  
20 Defendants' motion to dismiss is DENIED. The Court will retain jurisdiction of the  
21 above-captioned matter.

22 IT IS SO ORDERED